

FILED  
MISSOULA, MT

2007 AUG 1 PM 4 26

PATRICK E. DUFFY

BY \_\_\_\_\_

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

MISSOULA DIVISION

RICHARD JON RING,	)	CV 07-79-M-DWM-JCL
	)	
Petitioner,	)	
	)	
vs.	)	ORDER
	)	
MISSOULA COUNTY DETENTION CENTER;	)	
ATTORNEY GENERAL OF THE STATE OF	)	
MONTANA,	)	
	)	
Respondents.	)	
	)	

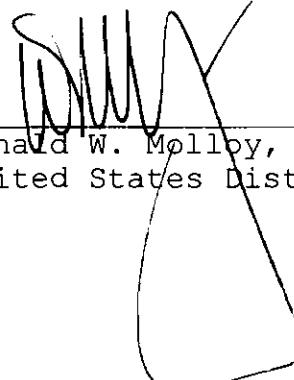
United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendations in this matter on June 20, 2007, in which he recommends dismissal of the Petition as moot because Petitioner Ring has been released from custody and suffers no significant collateral consequences following his arrest. See Spencer v. Kemna, 523 U.S. 1, 12 (1998).

Ring did not timely object and so has waived the right to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been

committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000). I can find no clear error with Judge Lynch's recommendation and therefore adopt it in full.

Accordingly, IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is DISMISSED as moot, and that a certificate of appealability is DENIED.

DATED this 15 day of August, 2007.

  
Donald W. Molloy, Chief Judge  
United States District Court